



TEXAS DEPARTMENT OF HEALTH
AUSTIN TEXAS
INTER-OFFICE

TO: Regional Directors
Directors, Local Health Departments
Directors, Independent WIC Local Agencies
Herman Horn, Acting Chief, Bureau of Regional/Local Health Operations

FROM: Gerald D. Cannaday, Jr. {original signed}
Chief, Bureau of Nutrition Services

DATE: September 28, 2001

SUBJECT: Treatment of Family Subsistence Supplemental Allowance in WIC Income Eligibility Determinations

The attached correspondence announces a recent change implemented by the Department of Defense that impacts Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) applicants and participants who are members of the Armed Forces. In response to the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001, the Family Subsistence Supplemental Allowance (FSSA) has been implemented to assist enlisted members who are dependent on food stamps.

The content of the correspondence describes how to handle the special FSSA allowance, which appears as a line item on the Leave and Earnings Statement (LES). FSSA payments are considered income and must be included when calculating gross income for WIC applicants.

If you have any questions or require additional information, please contact Ms. Karen Davis, Bureau of Nutrition Services, at (512) 406-0711, extension 221. You may also e-mail Ms. Davis at karen.davis@tdh.state.tx.us.



United States Department of Agriculture
Food and Nutrition Service
Southwest Region

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AUG 10 2001 *file*

Reply to
Attn of: 2001-WIC-46

Subject: WIC Final Policy Memorandum # 2001-5
Treatment of Family Subsistence Supplemental Allowance in
WIC Income Eligibility Determinations

To: All State WIC Directors
Southwest Region

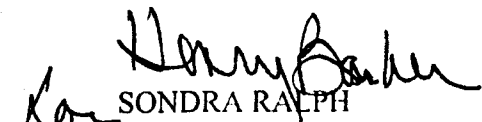
This policy memorandum provides guidance to WIC State agencies regarding the treatment of the Family Subsistence Supplemental Allowance (FSSA) provided by the Department of Defense (DoD) to low-income members of the Armed Forces.

On October 30, 2000, Public Law 106-398, the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001, was signed into law. In an effort to address, at least in part, the issue of enlisted members of the Armed Forces relying on food stamps to make ends meet, this law requires DoD to provide certain members with a special allowance. To implement the law, DoD has established the FSSA program, effective May 1, 2001, that will provide qualifying members and their families with a cash allowance not to exceed \$500 per month. Qualifying members that receive FSSA may reside stateside or overseas. With the exception of certain exclusions, such as cost of living allowances and some housing allowances, eligibility for FSSA will be based on gross income with a maximum income limit of 130 percent of poverty. Eligible members began receiving the FSSA payments beginning June 1, 2001. The statute governing the FSSA program does not prohibit members from receiving benefits under FSSA and the Food Stamp Program (FSP) at the same time.

There is no legislative authority that permits the exclusion of FSSA payments from consideration as income. Therefore, FSSA payments must be counted as income in determining WIC income eligibility. We have been advised that the Leave and Earnings Statement for the Marines will identify the payment as "FSSA." The Leave and Earnings Statement for the Army, Navy, and Air Force will temporarily identify the payment as "Saved Pay" and subsequently be changed to identify the payment as "FSSA."

Given the difference between the FSSA, Food Stamp Program (FSP) and WIC income eligibility limits (130 percent of poverty for the FSSA and FSP versus 185 percent for WIC), we do not expect the receipt of FSSA payments to cause a significant number of military family members to be ineligible for WIC based on income. It is likely that a number of WIC applicants who previously were considered adjunctively income eligible for WIC based on their

documented eligibility for the FSP will now require a traditional WIC income eligibility screen if the receipt of FSSA results in ineligibility for food stamps. Please note that some military families receiving FSSA may still be certified as eligible to receive food stamp benefits. Members of such families who apply for WIC benefits and are categorically eligible should continue to be considered adjunctively income eligible for the WIC Program if appropriate documentation of FSP eligibility is presented.


SONDRA RALPH
Regional Director
Supplemental Food Programs